

2006-Sep-01 08:04 PM 3m 6517362225

1/6

RECEIVED  
CENTRAL FAX CENTER

SEP 01 2006

32692  
Customer NumberPatent  
Case No.: 59494US002

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named Inventor: COGGIO, WILLIAM D.

Application No.: 10/748739

Confirmation No.:

Filed: December 30, 2003

Title: STAIN RESISTANT GROUT

AMENDMENT AND RESPONSE UNDER 37 CFR § 1.111Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR § 1.8(a)]	
I hereby certify that this correspondence is being:	
<input type="checkbox"/>	deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.
<input checked="" type="checkbox"/>	transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at 571-273-8300.
Date 9-1-06	Signed by: Joyce M. Courtney 6 pages

Dear Sir:

INTRODUCTION

This paper is submitted responsive to the Office Action of March 21, 2006, wherein claim 1 was rejected under 35 U.S.C. § 112, first paragraph, for use of the term "substituted", under 35 U.S.C. § 102(a) over WO 03/082997 ("Fan PCT") and over U.S. Patent No. 6,646,088 ("Fan US"), and for obviousness-type double patenting over claims 1-34 of Fan US, and was provisionally rejected for obviousness-type double patenting over claims 24-27 of copending U.S. Application No. 10/957,355 ("Fan Application").

2006-Sep-01 08:04 PM 3m 6517362225

SEP 01 2006

2/6

Application No.: 10/748739

Case No.: 59494US002

EXTENSION OF TIME

Under the provisions of 37 CFR §1.136(a), Applicant petitions to extend the period for filing a reply in the above-identified application. The requested extension and appropriate fee are as follows (check time period desired):

- ☐ 37 CFR §1.17(a)(1) - Extension within first month  
☐ 37 CFR §1.17(a)(2) - Extension within second month  
☒ 37 CFR §1.17(a)(3) - Extension within third month  
☐ 37 CFR §1.17(a)(4) - Extension within fourth month.

Please charge any fees due, or credit any overpayment to Deposit Account No. 13-3723.

One copy of this sheet marked duplicate is also enclosed.